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(d) it is not known which application will issue first.

Claim 1 was rejected under 35 USC 102 as being anticipated by Prieto, Jr., US Patent 5,907,822. Applicant respectfully traverses.

The Prieto, Jr. patent describes an arrangement where frames (packets) carry encoded speech parameters. At the receiver, the received stream of frames is evaluated as to whether any frames are corrupted or missing, and all error-free frames are applied to a parameter decoder (element 64 of FIG. 6). The output of the decoder is speech parameters. Those speech parameters are formatted in element 74 (see col. 6, lines 46-47) and stored in element 78.

In connection with all frames that are not error-free, information from element 78 is used to create interpolated parameters information in element 76, and that information is applied to element 72, which develops encoded interpolated parameters that are applied to decoder 64. The output of decoder 64 is applied to element 66, which develops the output speech signal.

The key information that should be noted is that the processing within elements 74, 78, 76, and 72 is of speech parameters. In contradistinction, claim 1 specifies, *inter alia*, the steps of:

- synthesizing a speech signal corresponding to the unavailable packets;
- encoding the synthesized speech signal; and
- providing signals reflecting the encoded synthesized speech to the decoder for use in maintaining decoder state information.


The step of synthesizing a speech signal is, indeed, performed in Prieto Jr., but it is performed by element 66. The step of encoding the synthesized speech would require one to encode the output of element 66, and that is not performed in the Prieto Jr. reference. Consequently, the step of providing signals reflecting the encoded synthesized speech is also not performed in the Prieto Jr. reference. Therefore, it is respectfully submitted that claim 1 is not anticipated by Prieto Jr.

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In view of the above remarks, it is respectfully submitted that all of the Examiner's rejections have been overcome. Reconsideration and allowance are respectfully solicited.

Respectfully,
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